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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/796,044

03/10/2004

Murray Figov

27746

2732

7590

10/21/2005

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EXAMINER

CRENSHAW, MARVIN P

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/796,044

Applicant(s)

FIGOV ET AL.

Examiner

Marvin P. Crenshaw

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8, 9, 11 - 13 and 15 is/are rejected.
- 7) ☒ Claim(s) 3 - 7, 10 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

Claims 3 – 7, 10 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

With respect to claim 3, the prior art does not teach or render obvious the total combination as claimed including a plate wherein said first coating comprises an aqueous mixture of hydrophobic emulsion, surfactant, aminoplast, polyacrylic acid and polyvinyl alcohol.

With respect to claim 4, the prior art does not teach or render obvious the total combination as claimed including a plate having a second coating comprising a mixture of water-soluble hydrophilic polymer, water-soluble hydroxyl containing organic compound, solid, organic, non-ionic water-soluble and hydrophilic material and binder resin.

With respect to claim 10, the prior art does not teach or render obvious the total combination as claimed including a plate additionally comprising a third coating, over said second coating, said third coating comprising less than 0.005 pnms/square meter of silicone deposited from solvent.

With respect to claim 14, the prior art does not teach or render obvious the total combination as claimed including a method wherein said step of removing comprises treating said second coating with gum.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 8, 9, 11, 12, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (6,420,091) in view of Arimatsu et al. (5,312,654).

Nakayama et al. teaches a plate for imaging with an inkjet printer using pigment-based aqueous inkjet ink, comprising pre-treated aluminum base (See col. 1, lines 30 – 36), a first coating over said base, comprising organic-based polymer (See col. 21, lines 8 – 15), said polymer capable of being dried to a hydrophilic film (See col. 3, lines 12 – 22) and a second coating over said first coating (See col. 5, lines 50 – 65).

However, Nakayama et al. does not teach a second coating deposited from water, said second coating including a water-soluble hydrophilic polymer.

Arimatsu et al. teaches a second coating deposited from water (Col. 8, lines 35 – 40) said second coating including a water-soluble hydrophilic polymer.

It would have been obvious to modify Nakayama et al. to have a second coating deposited from water, said second coating including a water-soluble hydrophilic polymer as taught by Arimatsu et al. so as to provide an efficient means for preparing the printing plate image to be eliminated.

With respect to claim 2, Nakayama et al. teaches the plate wherein said pre-treatment comprises pre-treatment with phosphoric acid (See page 10).

With respect to claim 8, Nakayama et al. does not teach a plate additionally comprising a silicone system that exists as an emulsion.

Arimatsu et al. teaches a plate additionally comprising a silicone system (See col. 7, lines 45 – 56) that exists as an emulsion.

It would have been obvious to modify Nakayama et al. to have a plate additionally comprising a silicone system that exists as an emulsion as taught by Arimatsu et al. to provide an efficient means to prevent the ink from spreading horizontally and causing the resolution of the plate to deteriorate.

With respect to claim 9, Nakayama teaches a plate additionally comprising biocide (See col. 8, lines 8 – 15).

With respect to claim 11, Nakayama et al. teaches a process for producing a plate for imaging with an inkjet printer using pigment-based aqueous inkjet ink, comprising the steps of providing a pre-treated aluminum base (See col. 1, lines 30 – 36), coating said base with a first organic-based polymer (See col. 21, lines 8 – 15) coating and heating said first coating to create a dry hydrophilic film therefrom (See col. 3, lines 12 – 22).

However, Nakayama et al. doesn't teach coating said dried first coating with a second coating deposited from water.

Arimatsu et al. teaches a second coating deposited from water (Col. 8, lines 35 – 40).

It would have been obvious to modify Nakayama et al. to have a second coating deposited from water as taught by Arimatsu et al. so as to provide an efficient means for preparing the printing plate image to be eliminated.

With respect to claim 12, Nakayama et al. teaches a method of reduced dot-size imaging a plate with an inkjet printer, comprising the steps of producing a plate by using a process wherein imaging said plate with said inkjet printer using pigment-based aqueous inkjet ink, heating said imaged plate and removing said second coating (See Col. 3, lines 58 - 67).

With respect to claim 13 and 15, Nakayama et al. does not teach a method wherein said step of removing comprises washing said second coating with water or a fount during printing.

Arimatsu et al. teaches a method wherein said step of removing comprises washing said second coating with water or a fount during printing (See col. 8, lines 27 – 35).

It would have been obvious to modify Nakayama et al. to have the step of removing comprises washing said second coating with water or a fount during printing as taught by Arimatsu et al. so as to provide an efficient means for preparing the printing plate image to be eliminated.

Response to Arguments

Applicant's arguments filed July 19, 2005 have been fully considered but they are not persuasive. Specifically, Nakayama teaches all that is claimed except a second coating deposited from water and said second coating including a water-soluble hydrophilic polymer. Arimatsu teaches making a printing plate by using ink-jet printing with a coating of water-soluble polymer.

It would be obvious to one of ordinary skill in the art to combine the two references because they both teach the use of printing plates for Lithographic printing.

Applicant has argued that the references are not combinable since the primary reference does not relate to a plate for imaging with an inkjet printer. The Examiner disagrees, however, since they both teach the use of a lithographic plate, it would be obvious to one of ordinary skill in the art to combine the two because the secondary reference teaches an advantageous way of using a water-soluble hydrophilic polymer during ink-jet printing.

With respect to applicant amendment to claim 1 having "a water-soluble hydrophilic polymer", it is the Examiner position that Arimatsu teaches the water – soluble polymer (See column 8, lines 27 – 40). It is believed that since his polymer is absorbing that it would reduce the dot size and thereby improve the resolution.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

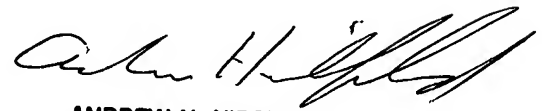
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2854

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MPC
September 26, 2005


ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
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